

EXHIBIT A

Tim M (5/25/2023, 4:12:42 PM): Hi Al what can I assist with?

Al (5/25/2023, 4:13:03 PM): Hi Tim -- I'm looking at a case and I'

Al (5/25/2023, 4:16:38 PM): I'm curious to know the basis for a case being superseded by rule

Al (5/25/2023, 4:17:26 PM): Specifically I'm looking at de Fontbrune v. Wofsy, 838 F.3d 992 (9th Cir. 2016) which appears to be superseded by rule as stated in Radu v. Shon, 63 F.4th 1165 (9th Cir. 2023)

Al (5/25/2023, 4:17:47 PM): But I'm not quite understanding how or why that is the case based upon the cases -- and i was wondering if you could help me find out

Tim M (5/25/2023, 4:22:40 PM): Hi All taking a look.

Al (5/25/2023, 4:29:54 PM): Thank you Tim

Tim M (5/25/2023, 4:32:23 PM): So If we click in Radu,it does highlight where it cites to Wofsy so we can take a look there and see if that clarifies anything for us.

Al (5/25/2023, 4:33:43 PM): I see that. It only explains superseded by rule as stated in Radu

Al (5/25/2023, 4:34:54 PM): Wofsy still looks to be good law though -- that's what does not make sense

Tim M (5/25/2023, 4:35:07 PM): Hmm it does seem to just be citing to it, its not really clear that its talking about a rule that might be different from Wofsy.

Tim M (5/25/2023, 4:41:50 PM): Yeah and It looks like 44.1 hasn't been changed since 2007, so conceivably they should have been addressing the same language in that rule. So I'm going submit an error on this and have our editors look at it and see if that is an error with the keycite. I can email you once I hear back about it?

Al (5/25/2023, 4:43:40 PM): That would be great -- thank you.

Al (5/25/2023, 4:43:48 PM): So it appears this is an error on westlaw's end

Al (5/25/2023, 4:43:51 PM): ?>

Al (5/25/2023, 4:43:58 PM): ?*

Tim M (5/25/2023, 4:46:24 PM): It looks like it might be, but I going verify that and I'll let you know either way.

Tim M (5/25/2023, 4:47:13 PM): if it is an error they'll remove the flag and if it is not I will be able to give you an explanation about why its not.

Tim M (5/25/2023, 4:50:24 PM): Is there anything else I can assist with?

Tim M (5/25/2023, 4:54:43 PM): OKay Al well I will go an submit that as an error and let you know once I hear back. Have a good one!!